

LABOR CLARION

Official Journal of the San Francisco AFL (A.F.L.)

No. 43

Vol. XLII

San Francisco, November 26, 1943

Fight for Subsidy Plan Transferred to the Senate, Following Defeat in House—Straight-from-Shoulder Demand by Meany

The subsidy plan for holding the price line and preventing the scourge of inflation was defeated in the House last Tuesday, the vote being 278 to 117. The measure has the strong backing of the Administration and of organized labor.

Several efforts to amend the proposal, in an attempt to make it acceptable to the majority of the members, proved unsuccessful. One of these defeated amendments provided for the continuance of subsidies through the canning season, to October 1, 1944, limited them to a total of \$750,000,000, and provided for their immediate discontinuance if a general wage increase is granted above the Little Steel 15 per cent limitation. The vote on this amendment, taken by tellers, was 120 for to 154 against.

Part of Other Legislation

The measure now goes to the Senate, where the fight for the subsidy plan will be renewed, as this plan is intended to be attached to legislation extending the life of the Commodity Credit Corporation. Hearings will be held by a Senate committee, lasting perhaps for a week, and floor debate on the bill is expected to begin about December 10. The bill must be acted upon prior to the end of the year, as the present law giving life to the Credit Corporation expires at that time. It has been "inferred" by some that the President would veto the bill if passed without the subsidy feature, and thus leave it up to Congress to pass it over the veto, or, failing in that, permit the Credit Corporation to go out of existence. There is no word from the President on his intentions, however.

Amendment Still in Order

Meanwhile, friends of the subsidy plan, which includes organized labor, should contact their senators in its behalf, as it is within the power of the Senate to restore the plan to the bill and then send it to conference with a joint committee of members of the two houses, for reaching an agreement.

Vote of California Delegation

The California delegation voted as follows on the roll-call which defeated the subsidy plan: *Ayes*: Lea, Engle, J. L. Johnson, Ralph, Anderson, Gearhart, Elliott, Costello, W. Johnson, Hinshaw, Phillips. *Noes*: Welch, Carter, Tolan, Outland, Voorhis, Poulson, Ford, King, Holifield, Izac. *Paired against*: Rogers.

In a coast-to-coast broadcast last Friday night, George M. Meany, secretary of the American Federation of Labor, vigorously urged the subsidy plan and the voting by Congress of sufficient funds to make it effective. He also charged a breach of faith on the part of Congress in its failure to carry out the commitment of the Economic Stabilization Act of October, 1942, to hold prices to the level of September 15, 1942. Secretary Meany's address follows:

Text of Address

"A year ago last October the Congress of the United States passed the Economic Stabilization Act.

"The purpose of this law was to hold wages to September 15, 1942, levels and to hold prices—especially food prices—to the levels of the same date. The overall and underlying purpose was to prevent inflation, which would bring misery and suffering to the country and the advent of which would be equivalent to a major military disaster.

"The wage-earners of America are keenly aware of the dangers of inflation. We know what inflation means. We know what it means to have the pur-

chasing power of the worker's pay envelope in a steady and continuous decline.

"However, the economic pestilence of inflation would affect all of America, including the people living on fixed incomes, stockholders, bondholders, servicemen's wives and their dependents, and the millions of little business men.

"Under the Economic Stabilization Act, now more than thirteen months old, our government was committed by our elected representatives in Congress to hold prices down at the levels of September 15, 1942. This commitment by Congress to the American people has *not* been carried out. Prices have not been held down.

Warnings and Promises

"President Roosevelt has from time to time that prices must be held down. Justice Byrne, Director of War Mobilization, has echoed this warning on various occasions. Mr. Prentiss Brown, who was head of O.P.A. for a number of months, gave to the American people a running fire of promises during the period of his incumbency that food prices would be held down.

"Despite all these promises and warnings, food prices continued to rise. In the early part of this year the promises to hold down the rise in food prices were supplanted by promises to roll the prices back to where they were when the original promise was made.

Law Not Being Carried Out

"In the face of all these assurances and promises, we now find that the law passed by Congress in October of 1942 is not being carried out; that this commitment solemnly given by a government to its people has not been made good.

"All evidence indicates that there is only one way in which the price of essential commodities for the home front can be brought within the reach of the American worker's pocketbook. This method is the tried and tested method of using public money for the public good.

"Subsidies helped to build our transcontinental

Manpower Commission Representatives Invited To Address Labor Council

There will be no meeting of the San Francisco Labor Council tonight (Friday), it having been decided by the delegates at last week's session that on account of the regular meeting night falling on the day following the Thanksgiving holiday an adjournment of two weeks would be taken.

Hence the next Council meeting will be held on *Friday, December 3*. At this meeting, as will be noted in the Council minutes, appearing on page 10 of this issue, local representatives of the War Manpower Commission will address the delegates in relation to the recently issued order affecting manpower in the Bay area, and will be prepared to answer questions on the subject. This will be a special order of business, at 9 p. m.

IN CASE YOU'RE INTERESTED

Two New York Stock Exchange memberships sold last Monday for \$44,000 each, unchanged from the last sale. Current quotations were \$36,000 bid and \$47,000 asked.

railroads which made it possible for millions of enterprising Americans to tap the great natural resources of the western part of our country.

"Subsidies have been used to help our airlines, our railroads, our merchant marine, and have been an enormous boon to the farmers of our nation. Subsidies, for instance, have been consistently paid to the cotton farmers of America in one form or another to the extent of \$1,349,224,000 in the eight years running from 1933 through 1941. This enormous sum, mind you, to help our farmers produce just one crop—cotton.

en Duty of Congress

our pressing problem of stopping in consumer prices on the home thereby stopping the threat of inflation, obviously the subsidy method.

"If a member of Congress is opposed to the concept of economic stabilization contained in the Economic Stabilization Act of October, 1942, or if any such member thinks that inflation would be a good thing for America, that member should, in all sincerity, submit a bill calling for the repeal of the Act of October, 1942.

"But so long as this Economic Stabilization Act is on the statute books it is the duty and obligation of Congress to vote the funds necessary to carry out the purpose of the Act.

War Pledge Fulfilled

"On December 8, 1941, the Congress declared the existence of a state of war with Japan and pledged that America would prosecute that war to the best of our ability. In order to carry out that pledge, money was required—billions and billions of dollars. Having committed itself, Congress has proceeded to keep this pledge and has unhesitatingly voted all the necessary appropriations.

"What would we have thought, however, if Congress, after declaring war on a foreign enemy, had then decided to break faith with the American people by refusing to appropriate the money needed for the successful prosecution of that war?

Two "Fronts" Are As One

"The home front and the fighting front are as one in modern war. Inflation in America would spell a victory for the enemy. For the war that is being waged in Europe and the Pacific, Congress is keeping faith. The American people have a right to ask that Congress likewise keep faith on the home front in the war against high prices, in the battle against inflation.

"Thirteen months ago Congress, recognizing the importance of preventing economic chaos and demoralization of the home front, declared war on high prices. Thirteen months ago Congress pledged itself to fight with all its strength to stave off the blight of economic inflation. *V.A.I.*

Questions Await Answer

"Now the question is simply this: Will Congress keep its word and vote the money necessary for victory in this important part of the war for the preservation of our country? Or will Congress, responding to the small minority of selfish persons who want to make a killing at the expense of 130,000,000 of their fellow-Americans, treat the Economic Stabilization Act, upon which the nation pins its hope for economic justice during the war, as just another 'scrap of paper'?"

Congressional Committee For Consumers' Protection

From Headquarters of the California State Federation of Labor

The Congressional Committee for the Protection of the Consumer, whose chairman is Representative Thomas E. Scanlon of Pennsylvania, and with five California Representatives—Holifield, Outland, King, Welch and Rogers—as part of its membership, is making a valiant effort in behalf of economic stabilization and should receive the unlimited support of labor, the consumer and the farmer.

This committee has been functioning since last June and has announced the encouraging news that it is prepared to meet the new threat to the Administration's price control policy. The committee has stated that, in accord with the President, it will not compromise with its conviction that war subsidies are imperative in a program to hold down living costs.

Group Explains Its Position

During the summer large gatherings of labor and consumer groups throughout the country were addressed by members of the committee, and pledged support to the program. Pointing out the need of increasing food production, the committee stresses that it is absolutely necessary that the producer be guaranteed that there be no reduction in the price he receives. And further:

"The committee also favors the current subsidy and feed allocation plan being used to keep the cost of milk to the consumer down and the price to the producer up. Everybody wants to see the milk producer get enough to cover his costs and a fair profit. At the same time, we cannot afford to let the price control line go on milk, since that would break the lines, as Judge Vinson pointed out, on all basic foods."

Seek Retention of Subsidies

The majority of the House banking and currency committee wrote into the Commodity Credit Corporation bill (HR 3477) what amounts to a flat prohibition on the use of subsidies. The subsidies now in effect on butter, meat and milk, as a result of the eleventh-hour legislative victory against inflation last June, would be terminated on December 31 by the passage of the present bill. The Committee for the Protection of the Consumer states: "These are the subsidies which are in part responsible for lowering the rise of living costs from 6.2 per cent above the stabilization date when they were initiated to 4 per cent above, today."

Prospective Price Increases

The disaster that would result with the passage of this bill cannot be exaggerated. Economic Stabilization Director Vinson pointed out that there would be price increases of a penny on every loaf of bread, of 5 cents on a pound of butter, of 1 cent on a quart of milk, a 10 per cent rise in the price of meat, a 25 per cent increase in the price of canned vegetables, 2 to 3

cents a pound for potatoes and 1 cent a pound for sugar.

Without war subsidies, it will be impossible to apply a price control policy. The ability to roll back prices to September, 1942 levels will be completely destroyed and a vicious inflationary period will set in.

Is an Emergency Method

"A war subsidy is simply an emergency method to compensate a producer for unnatural, emergency high production costs, so that the higher costs will not have to be borne by the ultimate consumer," Chairman Scanlon explains. "In a war economy certain pressures toward increased production costs in various instances are inevitable. Payment of a subsidy when and where necessary is a method of controlling and maintaining the retail price. Without a subsidy, either there is a loss of production—which would jeopardize the nation's war activity—or a sharp rise in the retail price as the higher production costs are passed along. Congress should, therefore, grant the Commodity Credit Corporation the funds that were requested, with authority to pay subsidies to farmers in order to meet these higher costs without raising retail food prices.

"As the President has said, there is nothing new or radical in the subsidy formula. Actually it is a form of protection to the farmer, who would otherwise again pay a bitter price in the devastating aftermath of an inflationary period. The President scored those groups who have suggested that a "little inflation" would be a good thing by explaining that that is like suggesting a person be given a "little cocaine."

Urge Support by Union Labor

The California State Federation of Labor urges all of its affiliates to exert full pressure on Congress and to do everything possible to defeat this inflationary campaign by campaigning against HR 3477. As reported previously in the Federation's "News Letter," and to be discussed in subsequent issues, the Promotion Committee for a California Farmer-Labor Consumer Organization to Combat Inflation, that has been established in California, is a step in the right direction and should help to implement the program of the congressional committee. Labor should support this organization and make it an effectual instrument in the fight against inflation.

BRITISH LABOR LEADER DEAD

Allan H. Findlay, former head of the British Trades Union Congress and for 28 years general secretary of the United Patternmakers' Association died recently, aged 70. Findlay, who was known as the "quietest-voiced leader in the trade union movement" was one of the labor representatives on the British Industrial Mission which visited the United States in 1941 to study defense industries.

HAS SIX SONS IN SERVICE

George W. Davis, secretary of the Carpenters' Union in Danville, Ill., has six sons in the armed forces—four in the Navy and two in the Army.

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YOUR FRIENDLY
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Labor Commissioner Makes Report on Night Work Pay

Extra pay for those who work at night has become an established practice in a large number of industries in California, it is disclosed in a special neatly printed report of twenty-four pages issued by John F. Dalton, State Labor Commissioner. The report, "Night-Work Differentials in Union Agreements" is based upon an analysis of 801 collective bargaining contracts.

In his report, Commissioner Dalton stated that the tremendous contribution of American workers toward winning the battle of production has played an important part in the outstanding military successes achieved by the United Nations during recent months, and that in order to reach the high production goals established for California, many plants are operating 24 hours a day, while many trade and service industries have extended working hours in order to make their facilities available to night workers. "Organized labor," the report continues, "has attempted in its collective bargaining agreements to include clauses which provide compensation for the disadvantages of working during abnormal hours. This report summarizes the various types of premiums provided for night workers in a cross-section of California union agreements."

Some agreements provide for a premium in terms of a percentage above the day wage rate. These range from 5 per cent to 20 per cent above day-shift scales. Other agreements call for a specified amount per hour (or per shift) above the day rate. These range from 2 cents to 45 cents per hour. Frequently the premium pay for night work is in the form of day-shift pay for fewer hours of work. The range is from 8 hours' pay for 6½ hours' work to 8 hours' pay for 7½ hours' work.

A number of contracts, it was found, contained combinations of higher pay and shorter hours as in the case of the agreement covering shipyard workers which provides for a 10 per cent wage premium and 7½ hours of work for the second (swing) shift, and a 15 per cent wage differential and 8 hours' pay for 7 hours of work on the third (graveyard) shift.

The report discusses also the type of night-work differentials characteristic of different industries.

Pay Raise for 7500 Truck Drivers

The National War Labor Board has granted a 10-cent-per-hour increase to approximately 7500 over-the-road truck drivers employed by fifty-seven companies in six states of the southeastern area and represented by the Brotherhood of Teamsters (A.F.L.). The increase brought the hourly rate of the truck drivers to 75 cents.

The board also raised the mileage rate from 2.5 to 2.75 cents per mile and granted one week's vacation with pay after one year's service. The increases were made retroactive to November 15, 1942, the date of expiration of the old contract.

The Brotherhood had asked an increase to 90 cents per hour and a mileage rate of 3.4 cents per mile.

Cigarettes for Overseas Forces

In a communication to central labor bodies and women's auxiliaries, the A.F.L. Union Label Trades Department announces that the Department has interested the Axton-Fisher Tobacco Company in joining in the plan which has been in use by the Brown & Williamson Tobacco Corporation for the sale of cigarettes to unions for free distribution to the armed forces overseas.

The "Fleetwood" cigarettes, the communication continues, bear the union label of the Tobacco Workers' International Union, and "since there are two firms making identically the same offer you are at liberty to place your order with either the Axton-Fisher Tobacco Company or the Brown & Williamson Tobacco Corporation." Both of these firms are located in Louisville, Ky.

Closed Shop Upheld by Supreme Court of Florida

The Florida Supreme Court has upheld the legality of the closed shop and quashed a three-year campaign by State Attorney General Thomas Watson to outlaw such clauses in union contracts.

The sweeping decision by the state's highest court reversed a lower court ruling which was given wide publicity throughout the country because of its anti-labor nature. The State Supreme Court decision, however, has received little or no mention in the press outside of Florida.

The test case involved a contract between the Tampa Shipbuilding Company and the metal trades and building trades unions of the A.F.L. The decision represented a legal victory for organized labor which is nation-wide in scope because other states have made similar attempts to bar the closed shop.

Regarding the Complaint

The majority opinion of the court pointed out that no complaint had been filed against the contract by the company, by the unions, or by the Navy Department for which the company does all its work. The only objection was on the part of Attorney General Watson, "presumably on the hypothesis that an appreciable portion of the citizenry of the State is affected by the provisions for the employment of union labor exclusively—a situation not supported by the record because the complaints of fewer than a score of workmen were recounted."

Taking up the charge that closed shop contracts are against public policy, the court found this to be untrue because in at least three laws—the Norris-La Guardia Act, the Sherman Anti-Trust Act and the National Labor Relations Act—Congress "has affirmed the right of laborers to combine and act in the interest of the group."

No Interference with War Effort

As to the allegation that the closed shop contract interfered with the war effort, the court said: "We find no proof in the record that compliance with the contract has resulted in a retardation of the war effort. For this alone, the decree (of the lower court) would have to be set aside. For it was upon this ground, and this ground only, that the trial court struck down the closed shop clause of the contract." Finally, the court declared:

"We admit that every man and woman, not lawfully incarcerated or otherwise incapacitated, has the right to work and earn a livelihood. But it does not follow that all have the right to require any particular person, firm or corporation to give them employment as a matter of right of contract between the employer and the employee. The right of contract has been lawfully exercised in the present case."

Uniform Ruling by Courts

"The courts have uniformly declined to hold the union closed shop clause against public policy, where no controlling statute exists; but have sanctioned such contracts when freely entered into without malicious design on others."

"Therefore, the parties may negotiate any contracts not contrary to law or good morals. Management is free to hire only union men if it chooses. Likewise, labor is free to work with only union men if it chooses. The fact that a few laborers may be denied work in the particular plant or shop, unless they join the union, will not of itself vitiate such contract."

THANK PRESIDENT ROOSEVELT

Twenty-one leaders of various groups joined in a telegram of thanks to President Roosevelt for his clarification of the language of Executive Order 9346, making non-discrimination in employment policies mandatory in government contracts. The President overruled an interpretation of the order made by Comptroller General Lindsay Warren. Signers of the telegram included A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters.

Few Square Inches of Microfilm Can Save Lives of Thousands—"Chest" Donations Aid Resourceful Work

The starving beg for food—and we give them films. The dying plead for drugs—and we give them films.

A few square inches of microfilm—made possible by labor's contributions to the War Chest—can save thousands of lives among our Allies.

Because it is difficult to transport needed relief supplies to many of the distressed areas of the world



Emma Rusconi, shop chairman of the International Ladies' Garment Workers' Union No. 101, gets Rose Salvino's pledge of her best day's pay, at piece work, for the San Francisco War Chest. I.L.G.W.U. Locals Nos. 101, 8, 191, 213 and 352 have voted that workers in each of the shops where their membership is employed shall turn over the proceeds of their busiest day's work to the Chest.

To Attend Meeting at Sacramento

Secretary C. J. Haggerty, of the California State Federation of Labor, will attend a meeting in Sacramento next Tuesday of representatives of the research, statistical and planning activities of various State agencies with Director Alexander R. Heron and staff to consider organization, procedures and programs for a co-ordinated "State Research Pool."

The meeting is concerned primarily with bringing the research and statistical facilities of the State departments to bear on California's post-war problems. However, because of the importance of research in aiding post-war employment, the State Federation secretary considers it of vital importance to be present.

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"Impatient people water their miseries and hoe up their comforts."—Spurgeon.

today, films showing how to produce these supplies are flown in by air, according to George Johns, member of the executive committee of the San Francisco Labor Council, and vice-chairman of the War Chest's Establishments Division representing labor.

Relief-by-film is one of the most important means of helping China carry on her battle against our enemy. Virtually cut off from all outside sources of supply except by air, the Chinese people are in desperate need.

Complete instructions for the manufacture of the new "wonder drug," penicillin, are now being microfilmed for shipment to China by air. The new drug is produced from cultures of common molds.

Chinese production of penicillin in the industrial co-operatives, which are assisted by War Chest funds, will relieve the urgent demand for sulfa drugs for sick and wounded soldiers and civilians. Sulfa drugs cannot be produced in China because of lack of coal tar, from which they are derived. The amount of sulfa drugs which could be flown in by cargo plane was inadequate for the vast needs of the country.

Medical texts and explanations of new medical and surgical discoveries are microfilmed in America with War Chest funds for use in Chinese medical training schools.

Agricultural films to help China increase her desperately low food supply also are sent in by air.

Another dramatic example of War Chest relief by air was the shipment of 500,000 malaria tablets to halt an epidemic in Yugoslavia last August.

"The San Francisco War Chest has committed itself to provide \$3,973,525 for these important war front jobs, as well as for the support of vital services in our own community," Mr. Johns points out. "The Chest is counting on the help of the American Federation of Labor unions in San Francisco in raising this great fund. We must not fail."

Two Deaths in No. 226

Milk Wagon Drivers' Union No. 226 suffered the loss of two of its members by death in the past ten days.

On Thursday of last week John Barcos, aged 61, an employee of the Golden State Milk Company, passed away, following an illness from pneumonia. The funeral was held Monday, from the Godeau chapel, thence to Notre Dame des Victoires church, where high mass was offered, and interment was in Holy Cross cemetery.

The second death was that of William T. Atkins, which resulted from heart trouble. The deceased was 42 years of age, and was employed by the People's Dairy. The funeral, at the Gantner, Felder, Kenny chapel, was held on Wednesday, under Masonic auspices.

After the War...what?

Are you planning today for the home you'd like to build when this Emergency is over? SAVE NOW for the down payment, so that you will be in a position to obtain an F. H. A. loan when materials are once more available.

Call any office of The San Francisco Bank for details on how you may own your home when this War is over.

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LABOR CLARION

Published Weekly by the
SAN FRANCISCO LABOR COUNCIL (A.F.L.)
Office, 101 Labor Temple, 2940 Sixteenth Street
San Francisco, 3, California
Telephone: HEmlock 3924
W. N. MAPPIN, Editor and Manager



SUBSCRIPTION RATES

| | Year |
|---|--------|
| Single subscriptions..... | \$1.50 |
| To unions, each subscription..... | 1.00 |
| (When subscribing for entire membership) | |
| Single copies..... | .05 |
| Changes of address or additions to union mail lists must come through the secretary of each organization. Members are notified that this is obligatory. | |

Entered as second-class matter August 10, 1918, at the post office at San Francisco, California, under the Act of March 3, 1879.

FRIDAY, NOVEMBER 26, 1943

The International Goat?

The United States of America is being nominated, cheerfully, for everything that involves the providing of men, money or materials.

Since some of our statesmen, and others, have declared that the nation should "accept its world responsibilities" and sail into the international maelstrom, nothing has been too good for "Uncle Shylock" when nominations became in order at the continuous sessions of the spenders of other people's money (foreign and domestic branches).

Be it the sneak attack at Pearl Harbor and its attendant losses and national humiliation, Uncle Sam is nominated to immediately attack the perpetrator of the crime half-way around the world, on the battle-fields of Europe. Be it an invasion of Europe, Uncle Sam is nominated to provide the bulk of the army and supplies. Be it the providing of post-war relief for other nations, Uncle Sam is nominated to pay well over half the estimated expenses. Be it the "World Bank," Uncle Sam is nominated to come through with the larger portion of the necessary funds.

Be it the development of air routes, the building and operation of our own merchant marine, the attempt to get away from paying exorbitant tribute to nations having control of certain raw materials, Uncle Sam is nominated to take a back seat until there is more opportunity to throw the hooks into him and his crude ideas.

And, so far as the Main Streeters can observe, Uncle Sam is not declining any of the nominations—forgetting that purchased popularity, whether of individuals or nations, is often maintained only so long as there is a hundred-dollar bill on the bar and "Have one on me!" can be heard above the singing of "For He's a Jolly Good Fellow."

Unwarranted Censorship

Following up previous attacks on stupid and uncalled-for war censorship, *Editor & Publisher*, "a newspaper for makers of newspapers," declares that the "futility of arbitrary censorship is demonstrated almost daily." *Editor & Publisher*, going on to give examples and comment, says:

"Designed to prevent useful information from falling into the hands of the enemy, the censorship instrument is inevitably used by men of small minds to prevent publication of all kinds of information which seems to them dangerous. A case in point is reported by the 'AP' from London.

"From a dispatch quoting exchanged American prisoners from Germany on conditions attending their captivity, the U. S. Army censors in London cut out 650 words, mostly critical of German treatment.

"All that was passed tended to give the impression that the American soldiers and airmen were contented, even pleased, with their treatment, although earlier dispatches from Stockholm had conveyed the opposite idea. The attempted suppression

availed nothing, for the report of the attempt was on the wires the next day. The suspicions so generated are unquestionably as bad as any impression the public might have formed from the original story, and probably worse.

"Another example of futile secrecy was the executive session of the Senate at which five Senators recently returned from a world tour gave their colleagues a confidential report of their travels and observations. Decades of experience with executive sessions ought to have educated the Senate to the fact that the news always gets out in some form, usually inaccurate at the start.

"As Senator Lodge, one of the tourists, said in correcting allegedly erroneous versions of his remarks, members of the Senate are not as good reporters as members of the Senate press gallery. The Senator, who was formerly a reporter, is in excellent position to judge.

"Far be it from *Editor & Publisher* to deny the necessity for wartime censorship or executive sessions when the nation's safety or the welfare of its fighting men are at stake. We accept both, as do the majority of newspaper people. When censorship and executive sessions are extended to political matters with only a trace of military importance, the free press system is jeopardized, and the people are denied access to news at its source."

The Messenger Boys

Three of the "public" members of the National War Labor Board (Wayne Morse excepted) got cold feet last April, although the weather was warming up. They ran to the White House for advice and counsel on the treatment of chilblains resulting from exposure to the coal miners' wage demands.

Instead of advice and counsel, they got orders from Jimmy Byrnes and his successor as Economic Stabilization Director, Fred Vinson. They have been getting orders and taking them on key wage decisions ever since. Instead of acting on their own judgment, they have been serving as messenger boys.

Well, they got treated as messenger boys in the final decision in the mine workers' case. The President went over the W.L.B.'s head and authorized Secretary of the Interior Ickes to negotiate a contract with the union. He did. In so doing, he overrode the W.L.B.'s own decision in the case and broke its first rule against dealing with a union while a strike was in progress.

The Ickes contract was a bitter pill for the messenger boys to swallow. They sputtered all over the lot. Having relegated themselves to the role of messenger boys, they couldn't take out their anger publicly against the White House or Ickes. So they took a sock at labor—the unions which have been complying fully with the no-strike policy and which have been getting more "bitter" than sweet in W.L.B. decisions.

All of which goes to prove that you can't expect statesmanship from messenger boys.—A.F.L. News Service.

The nation's merchant shipyards in October delivered 163 cargo vessels aggregating 1,675,311 deadweight tons, bringing the total 1943 deliveries to 1524 ships, totaling 15,501,624 deadweight tons, the Maritime Commission announced. October deliveries put the Commission within 3,388,376 deadweight tons of its announced goal of 18,890,000 deadweight tons of merchant ships for 1943. The original quota, 16,000,000 deadweight tons, was expected to be reached early in November, and, while each yard will have to put forth still greater production effort, the Commission expects the full quota to be met by the end of the year.

More than a fourth of the employees involved in wage adjustment cases of the War Labor Board in September earned less than 50 cents an hour, states the board's seventh monthly report. Some 77 per cent averaged less than 80 cents an hour, while 4.3 per cent averaged less than 40 cents.

Denies Rail Pay Proposal Would Break Wage Formula

Congressional passage of a resolution approving a wage increase of 8 cents an hour for 1,100,000 non-operating railroad workers would not break the Little Steel wage adjustment formula, Donald R. Richberg declared in Washington. Richberg is counsel for fifteen railroad unions, representing the non-operating employees.

The rail unions' attorney was replying to a statement made by Fred M. Vinson, Director of Economic Stabilization, in a letter to the Senate interstate commerce committee, which had the wage approval resolution under consideration. Vinson opposed the resolution as violative of the Little Steel formula and stabilization program. In his reply to Vinson, Richberg said:

Vinson Statements Assailed

"It is unfortunate that the statement of Director Vinson does not consider the major legal issues which were discussed before the committee. The statement begins with the unwarranted assertion that 'if Senate Joint Resolution 91 is passed Congress itself will have broken the Little Steel formula.' On the contrary, it was made clear to the committee that the passage of the resolution would not disturb the Little Steel formula nor express any congressional disapproval of that formula.

"Equally unwarranted is the statement that, by passing the resolution, the Congress would tell the country that 'a privileged group is outside the stabilization program.' The railway employees are not seeking any favored consideration or special privilege, but are asking Congress to make effective the entire Stabilization Act and to prevent a denial to these employees of wage adjustments which are made mandatory by the Stabilization Act.

Pay Adjustments Obligatory

"The Stabilization Act not only authorizes the President to stabilize wages which affect the cost of living, but also makes it the duty of the President to provide for making wage adjustments to the extent found necessary 'to aid in the effective prosecution of the war or to correct gross inequities.' Director Vinson's statement does not refer to the admitted manpower crisis in the railroad industry. It does not refer to the fact that inadequate wages, far below those paid for comparable work in other industries, are making it impossible for the railroads to obtain and retain the services of an adequate number of competent employees. But the necessity is obvious to maintain the most efficient possible railroad service in order to aid in the effective prosecution of the war.

Dismissing an Obligation

"Director Vinson's statement dismisses the obligation of the administrators of the Stabilization Act to correct gross inequities by stating that 'a general freeze of wage rates has assured that the inequities present while we are engaged in war are to be no greater than those we had in peace-time.' This comment ignores the fact that the war-time rise of wages in many industries, coincident with an increased cost of living and other war burdens imposed on all workers, has created a gross inequity in the condition of the non-operating railway employees far greater than any which may have existed in peace-time."

TWO DEFEATS FOR C.I.O.

The C.I.O. has come out second to the American Federation of Labor in efforts to organize two new locals at St. John, New Brunswick, Canada. Federal Union No. 24 has been organized among employees of the Canadian National Harbors Board, on the St. John harborfront, with a majority of the employees in the charter membership. The second union group to be organized for the A.F.L. in competition with the C.I.O., is the International Association of Heat and Frost Insulators and Asbestos Workers. This is the first time a local of these types of workers has been formed in that area.

Kaltenborn Case: Report On Recent Developments

By PHILIP PEARL, in A.F.L. News Service

Some weeks ago we promised new developments in the Kaltenborn case. We have them for you now. They are not exactly what we anticipated. In fact, they are better than we anticipated. At that time we looked for a fight. We are happy to report that there is no fight. A constructive settlement has been reached.

Suppose we run over the facts for background purposes before going into the new developments.

On August 9 Kaltenborn said over the radio that "by any standard of comparison" non-union aircraft plants always seem to come out ahead of the union plants in efficiency of production.

Anti-Union Statement Challenged

We challenged that statement. We obtained an official report from the War Production Board upholding our contention. Kaltenborn refused to retract his statement despite this official report. Thereupon, the American Federation of Labor announced it would present the facts in the controversy to the Federal Communications Commission and the National Broadcasting Company with a demand for appropriate action against Kaltenborn. That's where the first installment of this story ended.

Now for the news. The first development was the intercession of mutual friends who expressed the view that the controversy was based upon misunderstandings and suggested that we meet with Kaltenborn to talk things over before taking any drastic action. Such a meeting was then arranged.

Clarifying the Issues

Kaltenborn made it clear at the outset that he is still convinced his statement was accurate at the time it was made. We insisted just as strongly that it was wrong. Result: temporary stalemate.

The radio commentator then proceeded to state that the argument has no present validity; that the lag in aircraft production which prompted his protests last August has been overcome; that the total October production of 8300 planes exceeded expectations; that union aircraft plants are making fine records; that there is no real or accurate basis of computing comparative records of production efficiency because most of the large aircraft plants in the country are now unionized; that the heavy bombers, such as Flying Fortresses and Liberators, which are primarily in demand as offensive weapons are made in union plants; that it may be unfair to compare production efficiency in a small non-union plant with a large unionized plant making a different type of plane; that outside factors, such as changes in design, supply of materials, efficiency of management and efficiency of supervision by Army or Navy representatives have an important bearing on results.

We agreed with all of this. On our own motion, we volunteered the information that it won't be long before the entire aircraft industry is unionized; that right now 85 per cent of all war production is made by union labor; that War Production Board Chairman Donald Nelson had announced a 25 per cent increase in productivity per man in the aircraft industry during the past six months. To all of this Kaltenborn readily assented.

Progress for the Future

This looked like substantial progress. But Kaltenborn went a lot further. He said he considered it unfortunate that critical and destructive labor news receives most attention in press and radio reports; that labor's constructive achievements in furtherance of the war effort should be more frequently and effectively emphasized; and that he, for his part, was determined to do his utmost in bringing this about.

At the same time, others present at the meeting indicated that the radio networks as a whole would be glad to co-operate in presenting a more fair and more accurate picture of labor's co-operation in the war effort to the American people.

These expressions, coming as they did from persons

Average Factory Worker Has Deficit

[The following quoted paragraphs, and table, are from the November issue of "Labor's Monthly Survey," published by the American Federation of Labor]:

"At today's wages, with bond buying, taxes and high living costs, the average factory worker does not have enough to support a family of four at a decent war-time budget level.

Adequate Living Standard

"The adequate living standard [used in illustrative charts in the "Survey," but not here reproduced] for the family of four is that of the Heller Committee. This budget has been cut to the lowest minimum consistent with decent wartime living. All goods now off the market have been eliminated, and further cuts made representing voluntary wartime reductions in buying.

"The average factory worker today cannot buy

even this stripped-to-the-bone wartime budget at current prices, after he has paid taxes and bought his quota of bonds.

"The average factory wage of \$43 a week is substantially higher than the pay of most workers in other industries. In retail trade, hotels, laundries, telephone and telegraph companies, stone quarries and many other industries the average wage varies from \$20 to \$38 a week. The average wage of all workers is estimated at \$37.50 a week.

For Family of Four

"Clearly, there are millions of workers today who do not receive enough to support a family of four at even a decent wartime living standard. The table below shows wartime budgets and deficits of typical groups of workers. Today's No. 1 wage problem is to find a way of raising these substandard wages."

WORKER'S YEARLY DEFICIT

The table below shows the yearly income of typical groups of workers under war-time conditions at January 1941 and August 1943 wage levels. Heavy industries include most war industries, lumber and stone industries, metal industries; income is typical for war workers. Light industries include manufacture of clothing, food, tobacco products, leather, paper, chemicals. The average worker's income in retail trade is typical for a number of service industries where workers receive much less than in manufacturing. (Labor Department figures. Heavy = durable goods; light = non-durable goods industries.)

The adequate budget for a family of four is the war-time budget of the Heller Committee, University of California, adjusted to average prices in the United States (consumption items only). The Heller war-time budget omits \$405 worth of goods normally bought by a worker's family in peacetime; these are goods now off the market and voluntary reductions in family buying.

Yearly Income and Budget of Worker's Family of Four

| | HEAVY INDUSTRIES | LIGHT INDUSTRIES | | RETAIL TRADE | | |
|--|------------------|------------------|-----------------|----------------|-----------------|----------------|
| | January 1941 | August 1943 | January 1941 | August 1943 | January 1941 | August 1943 |
| WORKER'S YEARLY INCOME.... | \$1660 | \$2580 | \$1178 | \$1788 | \$1120 | \$1351 |
| TAXES | | | | | | |
| Federal Income | | 78 | | | | |
| Federal Victory | | 59 | | 35 | | 22 |
| Social Security | 17 | 26 | 12 | 18 | 11 | 14 |
| Total Taxes | 17 | 163 | 12 | 53 | 11 | 36 |
| War Bonds (10%) | 166 | 258 | 119 | 179 | 112 | 135 |
| LEFT FOR LIVING EXPENSES.... | \$1477 | \$2159 | \$1047 | \$1556 | \$ 997 | \$1180 |
| ADEQUATE BUDGET (Family of Four) | \$2124 | \$2204 | \$2124 | \$2204 | \$2124 | \$2204 |
| DEFICIT | \$ 647 | \$ 45 | \$1077 | \$ 648 | \$1127 | \$1024 |

who are in a position to do something about it, were welcomed by the representatives of the American Federation of Labor who were present.

We received no guarantees. No contracts were signed. But the friendly and co-operative spirit that prevailed at the meeting was in itself more reassuring than any written documents could be.

Willing to Write "Finis"

It is true that Kaltenborn has made no formal retraction of his original statement, nor does he intend to do so. Having met the man and talked to him, we can understand his psychological reluctance. We feel that no constructive good would be accomplished by pressing the point. We are willing to waive it and write "finis" to the entire incident.

Our objective is and always has been to get a square deal for labor over the radio. Developments in this case indicate that progress in this direction may be attained. We are going to do all we can to further it. If, at any time in the future, it appears that our confidence was misplaced we can renew the fight.

Northwest Lumber Workers Oppose Baruch Hiring Plan

The seventh annual convention of the Northwest Council of Lumber and Sawmill Workers (A.F.L.) held at Eugene, Ore., brought the passing of a resolution against the Baruch plan for utilizing workers in defense industries.

Delegates voted they would take no part in the proposal that workers released in any plant could be sent to any other plant designated by the War Manpower Commission or the U. S. Employment Service.

Union leaders protested the regimentation of free labor and declared that labor had been given no voice in the plan and no share in its administration.

Passage of the resolution has created some doubt as to what action the lumber and sawmill workers will take in the Portland-Vancouver, (Wash.), area, where all hiring has been placed on a restricted basis, with referral cards needed for any change of jobs.

Commercial Telegraphers' Union Asks Collective Bargaining Election Among 70,000 W.U. Employees

The Commercial Telegraphers' Union has asked the National Labor Relations Board to hold a collective bargaining election among 70,000 land line employees of the Western Union Telegraph Company, with which the Postal Telegraph Corporation was recently merged.

Hearing Next Month

A hearing on the union's petition will be held beginning December 6 in Washington. The case promises the most extensive election in the labor board's history.

The hearing will be conducted by two trial examiners (heretofore, all board cases have been heard before one trial examiner) and invited to participate are the company and 21 labor organizations—A.F.L., C.I.O., and "independent" unions. It is estimated that the question of representation involves approximately 70,000 employees working in about 19,000 offices of the Western Union system.

Complex Questions Up

Should the board order an election, questions of unusual complexity will have to be resolved by it. Among these questions are the determination of the various classifications of employees eligible to vote—past union contracts showing more than 100 job classifications, varying from area to area—and the geographical scope of the unit appropriate for bargaining purposes.

In view of the widespread nature of the company's

operations, employees to be voted working in a chain of 19,000 offices from coast to coast and from Mexico to Canada, the board plans to poll by registered mail the collective bargaining choices of employees in smaller cities, towns and hamlets. The remainder of the employees eligible to vote, in the nation's metropolitan areas, will vote through the board's usual machinery, at polls supervised by board agents.

Most Extensive Case

The area to be covered by these representation proceedings makes the Western Union case the most extensive of the more than 15,000 elections conducted by the board since its inception. In terms of number of Western Union employees to be polled, estimated at 70,000, this case ranks fourth in the board's balloting of more than four and one-quarter million workers since 1935. The three bigger cases, in terms of number of votes, are the General Motors case in which 124,000 valid votes were cast, Bethlehem Steel, 98,000 valid votes, and the Ford Motor election, 74,000 valid votes.

Under the recent Telegraph Merger Act, the N.L.R.B. was given the mandate of protecting the rights and privileges of the telegraph employees which might be affected by the merger. Recently the N.L.R.B. added a new provision to its rules and regulations so that the procedures of the Labor Relations Act will apply to its new duties arising under the merger.

and even actual work begun, which left no doubt that the workers would soon be supplied with the facilities for which the unions have continuously fought.

Delegate White briefly touched upon the conditions which the shipyard workers had been compelled to work under, in so far as food facilities were concerned, mentioning in particular that in one district, the street boundaries of which he gave, and where 40,000 were employed at night, only one restaurant was open after 1 a. m. He further explained something of the new facilities which are being installed in the various yards. He expressed appreciation for the assistance which the Labor Council had given in backing the demands of the workers, for the report which the Council's committee had originally submitted when the agitation was in an earlier stage, for the aid rendered by Representative Welch in forwarding the matter before governmental agencies in Washington, and for the aid in various capacities which others had given.

Delegate White also disclosed that before the end of next year some 5,000,000 workers throughout the nation will enjoy the same facilities now being provided here, as the result of appropriations which have been made by the authorities, and that eventually a much larger number will likewise benefit.

RETURNS FROM FIREMEN'S BALL

In extending its appreciation to the press for the co-operation given in publicizing the recent annual ball of the Widows and Orphans' Aid Association of the San Francisco Fire Department, the Association's committee announced that the financial returns from the ball were very gratifying, the indications being that approximately \$20,000 would be added to the treasury for the payment of benefits when all the returns from ticket sales had been made.

"Childhood may do without a grand purpose, but Manhood cannot."—J. G. Holland.

United Undertakers

Established July, 1883

1096 South Van Ness Avenue at 22nd Street
Telephone VAlencia 5100

NEW FUNERAL HOME AND CHAPEL

Labor Will Participate in New Blue Network Program

"America Tomorrow" is a radio program dealing with some of the important post-war problems to be faced by industry, labor, and agriculture in America, and presented by the Blue network in co-operation with the Chamber of Commerce of the United States, on Tuesdays from 10:30 to 11 p. m., E.W.T.

Regular members of the panel participating in each week's discussion will be William Green and Phillip Murray, presidents, respectively, of the A.F.L. and C.I.O., and the presidents of the American Farm Bureau Federation, the National Grange and the U. S. Chamber of Commerce. Representatives of various governmental agencies and of congressional committees also will be invited to participate in the discussions.

In contrast to other forums, where emphasis is laid on differences of opinion on a subject, plans have been made for a three-hour over-the-table discussion of the problem under immediate consideration to precede each broadcast, during which an attempt will be made to find the points on which participants in the program agree. Then, in the actual broadcast, while opposing points of view will be expressed, major stress will be on those points on which the representatives of the different groups agree.

The "America Tomorrow" series is continuing over a period of eight weeks, and the type of topics to be used is suggested by the following tentative schedule for the coming three weeks: November 30, "Can Management and Labor Settle Disputes Without Strikes?"; December 7, "Should Government-Owned Plants Be Privately Owned and Operated?"; December 4, "Should America's Foreign Trade Be Controlled by the Government?"

To Protect the Interests of State Compensation Funds

The twenty-ninth annual convention of the International Association of Industrial Accident Boards and Commissions was held at Harrisburg, Pa., October 25 to 27. California was officially represented by Director Paul Scharrenberg of the Department of Industrial Relations, who participated actively in the convention program, which covered virtually every phase of the broad subject, such as administration, prevention, industrial hygiene, vocational rehabilitation, and kindred matters. Mrs. Emma Tousant of the Massachusetts Department of Industrial Accidents was elected president of the Association for the ensuing year. Verne A. Zimmer of the U. S. Department of Labor was elected secretary-treasurer.

Representatives from eleven of the eighteen State Compensation Insurance Funds in attendance at the Harrisburg convention had a number of meetings to discuss mutual problems, especially the arbitrary and hostile attitude assumed toward State Funds by several departments of the federal government. It was finally unanimously resolved to organize an American Association of State Compensation Insurance Funds for the purpose of advancing the mutual interests of the various state compensation insurance funds in the United States.

In the naming of temporary officers of this Association, Paul Scharrenberg of California was elected president. The officers were directed to draft a declaration of purposes and a constitution, subject to the approval of the next regular meeting to convene at the same time and place to be designated for the next convention of the International Association of Industrial Accident Boards and Commissions.

JOBS TO HANDICAPPED WORKERS

The total number of handicapped persons who have found employment during the first nine months of this year through the U. S. Employment Service is 139,862, compared with 60,932 for the same period in 1942, according to announcement by the War Manpower Commission.

WEINSTEIN CO.
Headquarters for Defense
WORK CLOTHES
at the Lowest Prices!
→ UNION-MADE ←
**Can't Bust 'Em,
Headlight, Lee,
Sweet-Orr, Big Ben,
White, Duck, Boss
of the Road Union
Made Work Clothes**
1041 Market and 45 Kearny St.

Union Emblems Should Be the Beacon Lights In Christmas Shopping

By I. M. ORNBURN, Secretary-Treasurer
Union Label Trades Department
American Federation of Labor

DUUE to the unusual volume of purchases during the holiday shopping season each year, the Union Label Trades Department of the American Federation of Labor urges all purchasers of gifts to buy only articles bearing the Union Label for Christmas presents. We also urge that shoppers use Union Services, which are designated by the Shop Card and Service Button. When Americans patronize only firms which display the Union Label, Shop Card or Service Button they are showing the highest degree of patriotism, because they are upholding the high standards of American labor—standards which have made possible our stabilized economy and industrial output, resulting in our miraculous production of the planes, tanks, ships, guns, munitions and other necessities for waging this war.

Our fighting men overseas are receiving every day 2,000,000 Union Label cigarettes, contributed by members of American labor unions. This is a daily gift to our boys on the far-flung fighting fronts all over the world. Millions more of these union-made smokes have already been sent as Christmas gifts and will reach our boys by December 25. We hope that our gallant fighters overseas will receive these free smokes until they return home.

Now comes the time to buy the gifts for our loved ones at home. Let's buy only Union Label articles for the homefolks at Christmas-time. In addition to tobacco products, there are numerous necessary and useful articles bearing the Union Label which will make attractive, appropriate and welcome gifts for every member of your family. When purchasing these Union Label products you are obtaining the best on the market. They are made of the highest quality by men and women of the highest skills.

Give yourself the satisfaction of knowing your gift was not made by underpaid workers in some sweatshop. Your conscience will not hurt you when you buy presents which you know are made under union conditions, where men and women workers receive decent pay, work reasonable hours, and have the best of working conditions.

The best way to retain the American standard of living is to insist upon

Union Label goods and Union Services. If we do not maintain these standards now, we shall lose them in the post-war period.

So we urge you to demand the Union Label, Shop Card and Service Button—not only during the holiday season but every day in the year. Spend union-earned money for union merchandise and union services.

Northwest Molders in Strike Vote

Molders and foundry workers in seventy-seven plants in sixteen Washington and Oregon cities have voted for a strike to enforce demands for higher wages. Balloting in the first strike vote in the Pacific Northwest since the Smith-Connally Act showed 2942 in favor of a strike and 484 opposed. It was stated that union officials plan to make every effort to settle the dispute without actually calling the strike, however. The election set no time for the strike call. The union demands a wage boost from \$1.20 to \$1.28 hourly for journeymen, from 88 to 95 cents for helpers. The increases were denied by the Regional Board and an appeal to the National War Labor Board was denied.



Watchmakers' Union
GUARANTEE and BOND
LOOK FOR THIS EMBLEM
Ask for Our Written Guarantee

Organization by Upholsterers

Increasing unionization in the Omaha area is reported by the Upholsterers' International Union. Contracts have been signed with Katzman Bros. Company, Fontanelle Upholstering Frame Works and the Doup Company. In addition to pay increases, awaiting approval by the War Labor Board, the contracts include paid vacations, union shops, arbitration of disputes and paid holidays.

Have you donated blood to the Blood Bank?

LUXOR CABS
THE OFFICIAL UNION
LABEL EXHIBITION CABS
ORDWAY 4040
Strictly Independent

Mailing of Christmas Packages

A request from the San Francisco postoffice asks you to mail your Christmas packages before December 1. In case you don't know it, thousands of PO skilled workers are now in our armed forces, and the new employees are doing their best.

O.P.A. Director Bowles announces 12,000,000 consumers have signed the pledge not to pay more than ceiling prices and not to buy without giving ration stamps.



**SAN FRANCISCO
JOINT COUNCIL
OF
TEAMSTERS**
President - John P. McLaughlin
Secretary - Stephen F. Gilligan
2940 Sixteenth Street
Tel. UNDERHILL 1127
Office:
Room 303, Labor Temple

Run o' the Hook

By FRED E. HOLDERBY

President of Typographical Union No. 21

Next Tuesday, November 30, a special election will be held, at which time the membership will vote on three proposals initiated by local unions and which received the required 150 endorsements by local unions necessary to place them on the ballot.

Proposition No. 1 would raise the monthly per capita tax from 65 to 75 cents, the entire increase of 10 cents to be allocated to the Union Printers Home. The purpose of this amendment would be to bring back to normal the amount of the fund available for maintenance of the Home, now depleted because ten thousand of our members now in the armed forces are exempt from payment of dues and assessments.

Proposition No. 2 proposes that our international officers be authorized to resume payment of dues to the American Federation of Labor, providing the A.F.L. agrees to cancel all past indebtedness and guarantees the autonomy of the I.T.U.

Proposition No. 3 would delete language in Article XV, Section 1, of the Constitution, placed there by referendum vote of the membership in 1940 and 1941, which reads as follows: "The *Typographical Journal* shall be printed under contract, such contract to be approved by the Executive Council, and such contract shall provide that all mechanical work shall be done by members of unions affiliated with the local allied printing trades council in whose jurisdiction the *Typographical Journal* is printed," and adds the following to the amended section: "The Secretary-Treasurer shall have the *Typographical Journal* produced and mailed within the specific revenue accruing therefor and he shall place such revenue in a separate fund to be known as the *Typographical Journal Fund*."

Balloting will begin at union headquarters promptly at noon for unattached members and members of chapels not furnished a ballot box.

W. E. ("Bill") Bailey and C. H. MacAhan of San Mateo Typographical Union accompanied International Representative Ralph E. Mercer to San Francisco on Sunday, and the three attended the regular meeting of No. 21 for the purpose of informing our membership on circumstances surrounding the controversy in Peninsula towns which had brought about suspension of three daily newspapers. It was later learned that a conference that same evening between committees of the union and employers had brought about an agreement which resulted in amicable settlement on all points, thereby re-establishing normal conditions in all of the seventeen offices originally involved.

Pfc. Harold Slattery of the Neal, Stratford & Kerr chapel, who has been stationed for some months at different eastern camps with the ground force of the Army Air Corps, has now been assigned to the Salt Lake Replacement Center, where he will report on completion of a furlough being spent in San Francisco.

Lieut. (jg) G. W. Webster, son of "Bill" Webster, and well known in the commercial branch, is now on duty at San Pedro. Lieutenant Webster entered the service in May, 1942, and after active service in the Guadalcanal campaign was returned to this area four months ago as a casualty.

Sgt. Eugene B. Foos of Miami Typographical Union, with the Army Air Forces, has been transferred to the West Coast. On furlough, he came in on Wednesday of last week and has been looking up numerous friends here.

J. F. ("Dusty") Rhodes, who came in from Salt Lake City five weeks ago, has gone to the East Bay, after a month in San Francisco offices, where he has accepted a position with Gillick's in Berkeley.

In publishing the announcement last Saturday that Lieut. (jg) Johnston B. Wiles had won a Navy commendation for courage and resourcefulness during operations in the battle of Sicily, the *Chronicle* not only printed a picture of the Lieutenant, but ran a two-column cut featuring his father, Johnston B. Wiles, Sr., a member of that chapel, at his machine in the act of composing the story.

D. F. McDevitt of the Pernau-Walsh chapel, who for the past five weeks has been resting and taking treatment for high blood pressure at Agua Caliente Springs (Sonoma), writes that although his condition shows improvement he is still very weak. He has done considerable walking and increases the length of these walks daily.

Fred H. Kothe of the *Racing Form* chapel in Los Angeles has been a San Francisco visitor during the week, arriving Tuesday. It is the annual visit to his former "home town," where he was employed for a number of years, and also had served as a member of the executive committee of No. 21.

An interesting letter from Sgt. Jack Begon, which is featured in the *Chronicle Galley Sheet*, a publication turned out by members of that chapel for their fellow workers at the front, acknowledges with thanks receipt of that publication in Africa. In charge of the composing room of *Stars and Stripes*, Jack describes some of the difficulties faced when turning out a paper without the proper amount of available supplies. He reports also that a former member of No. 21, Paul Coontz, is stationed in that vicinity and had visited the *Stars and Stripes* office.

Cpl. O. T. Godfrey of the Pisani chapel writes from Ellington Field, Tex., where he is with the 340th Naval Training Squadron. He tells of a visit with members of Houston union at the *Chronicle* office chapel, and wishes to say "hello" through this column.

Sgt. M. R. Lansberry of the *Mission Enterprise* chapel, who has been stationed with an Engineer regiment at Plattsburg, N. Y., had received embarkation orders and was scheduled to leave immediately, he informed friends here early this week.

It is reported that the condition of F. A. McCallum, *Chronicle* machine department, is improved after four weeks' treatment at California Sanitarium, Belmont. An application by McCallum for admission to the Union Printers Home was approved by the union last Sunday, and is now awaiting approval by the admittance committee.

John E. Otis, *Examiner* operator, announces that Mrs. Otis presented him with a bouncing baby boy on Wednesday of last week. This is their second child—a girl and a boy.

A. J. Grimwood, of the *Chronicle* chapel, and wife enjoyed a visit by their daughter, Mrs. Charles T. Nanley, wife of the president of Nanley Inc., in Kansas City. In a round of entertainment in her honor was included luncheon with her brother, Lieut. Frank G. Grimwood, and family at Fort Baker, and dinner with Dr. and Mrs. H. M. Grimwood in St. Francis Wood. Mrs. Nanley's son, Ensign Charles G. Nanley, is with the staff command in the South Seas.

The enjoyment of a week-end trip was ruined for Vincent Porrazzo, *Daily News* chapel, when a slight cold he had contracted turned into la grippe shortly after he and Mrs. Porrazzo left for a visit with friends on a ranch near Sacramento. Confined to his home on Monday, "Vince" was in shape to return to work Tuesday.

J. L. Leiser of the Pernau-Walsh chapel writes from Poston, Ariz., where he is attached to the 323rd M. P. Escort Guard Company, an outfit in charge of the Jap concentration camp. He is in the best of health and sends regards to all his friends.

Members of the *Chronicle* chapel are in receipt of Christmas and New Year's greeting cards from Robert Waterson Jr., of the proofroom department, now stationed in American Samoa. R. A. Butcher of the machine room, also in the South Seas, sent greetings to his fellow workers.

The youngest daughter of Jesse A. Newell of the *Call-Bulletin* chapel underwent an appendectomy at Mills Memorial Hospital. Last reports are that she is well on the road to recovery.

Bernard M. Patt of the *Call-Bulletin* left for southern California over last week-end on learning of the death of his father. Funeral services were conducted last Monday.

News Chapel Notes — By L. L. Heagney

The passing of Mrs. Fela Brennan in Long Beach closed the colorful career of a remarkable woman. Mrs. Brennan, sister of James Serrano of this chapel, began as a printer's apprentice on a San Luis Obispo paper, meanwhile studying shorthand and was appointed court reporter in the Superior Court; later she switched to instructing in a business college. Marrying, she went to Borneo with her husband, an oil man, and, following a 10-year sojourn, they transferred to the Caribbean oilfields and remained until Mr. Brennan became a victim of tropical fever. Returning to the States, they settled in Long Beach and, her husband still an invalid, Mrs. Brennan ventured into the real estate business. A full life and a busy one was cut short when she died in her sleep, a trifle over 50 years of age. On behalf of his co-workers, we desire to convey our sincere sympathy to the bereaved brother and his family.

It's uncertain when Sid Tiers, makeup, will be able

to get on the job again. Incapacitated by industrial poisoning, Sid has been on the retired list several weeks. . . . Indisposed, too, is Machinist Jack Duerigan, whose ailment, rheumatism, is reported of a severe nature.

Of 1943 the officers of the News Mutual Benefit Society probably will report that it was marked by more illness than any previous 12-month period. Secretary-Treasurer Eddie Balthasar tells us that only for a short time was the roster clear of beneficiaries; mostly the patients went on the sick list by fours, and as one quartet signed off another took their place.

Much of the burden of keeping the News Benefit Society solvent falls on Secretary-Treasurer Balthasar, and of him Bill Gobin asserts that if Uncle Sam hears of his efforts over the last year he may call on "Bai" to cure a few of his financial headaches.

A pal—that's Archie Mackey—who detected that a goodly number of Eddie Haefer's molars vanished with his visit to a dentist, and generously offered to buy him some peanut brittle.

A postcard from "Down Under" sent by Cpl. Niles Madsen to the chapel in care of Chairman Abbott attracted more than usual attention. The card itself was of wood and, besides the usual Christmas greetings, printed thereon were kangaroos and other embellishments.

That child of fortune, Joe Sullivan, was the only serf fortunate enough to have his lunch period coincide with stopping of the electric clock one day recently. And at quitting time the clock showed 15 minutes still to go on his tiffin hour. In all his law studies, Joe said, he found no precedent to tell him whether he should have or could have continued eating during the five hours the electric jigger was on strike.

Golf News — By Fred N. Leach

All aboard for the finale for 1943! Grab your clubs and come out to Sharp Park this Sunday (November 28), for the last tournament of the year.

To provide a fitting climax for a most successful season, the feature play of the day will be the medal at handicap match, for the Cullenward trophy. This is the second year the trophy has been placed in competition. "Mayor" Kimbrough won it last year, but will not be a competitor this year, as he failed to qualify by heading his flight at any time during the past year.

And in relation to the cup and qualifying players, the name of Percy Crebassa was inadvertently left out of the list, published last week, of those who will play for the cup. Percy was low man in Class "B" in March, when he not only led his flight but earned a cut of four in his handicap.

The cup playoff, however, is only part of the stuff planned for next Sunday. There will be the usual 18 holes at medal. A hole-in-one contest, and a guest flight. Guests will receive identical awards with the association members—and of course are allowed to compete in the hole-in-one contest on an equal basis with members.

The usual municipal course greens fees will prevail, the entry fee the usual 50 cents, and tee time is 10:30. Sharp Park is in wonderful condition, and this bracing autumn air should set players up in fine fashion to get out and knock Old Man Par for a loop.

Appeal to Housewives

To induce housewives to alter their marketing habits, to the end that employed women will be able to get service in the stores is the vital campaign now being undertaken by the community services sub-committee of the San Francisco Manpower Mobilization Committee.

It is being urged that housewives shop for food-stuffs earlier in the day, earlier in the week, and fewer times during the week. Under present conditions, it is pointed out, the markets are so crowded in the late hours that working women are not able to buy their food; also, and from purely selfish reasoning, the housewife gets better results if she markets while produce is fresh and stocks more nearly complete. It is stated, too, that this change in buying habits should extend to the shopping in downtown stores, with obvious advantages for the woman who shops in the morning.

GOOD FOOD
ENJOY IT DAY OR NIGHT
OPEN ALL NIGHT

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Mailer Notes

By LEROY C. SMITH

A feature of last Sunday's union meeting, very pleasing to those in attendance, was that of the full crew of a newspaper chapel, the San Jose *Mercury-Herald*, being present. They were: Arlen Robeck, foreman; Myles Jacobs, Harry Suhlsen, Frank Smith, William F. Creamer. The latter was obligated a journeyman member.

In conformity with established procedure of making annual contributions to the War Chest and Red Cross, action was taken at the regular union meeting, Sunday, providing for a voluntary contribution of all members for this purpose. Members will contribute, individually, the sum of \$9, to be divided between those worthy agencies; two-thirds going to the War Chest and one-third to the Red Cross. Contributions will be made with monthly dues collections, and may be made in a lump sum or spread over three equal monthly payments. Through this means organized labor has achieved one of its long-sought objectives, whereby local unions will receive full recognition for contributions made by members, as well as establishing the "one collection" plan for the annual drive of those two major humanitarian services.

Edward W. Hoertkorn, of the *Daily News* chapel, has recovered from his recent illness, and returned to work the first of the week.

First Sergeant Del Nore, *Chronicle* apprentice, accompanied by his family, was a last week's visitor here. He has been transferred from Camp Wolters, Tex., to a station in Florida.

Buffalo Mailers' union has seceded from the M.T.D.U. It is reported New York Mailers' union, by a vote of better than 3 to 1 majority, recently seceded from the M.T.D.U. The New Yorkers have not paid dues to the M.T.D.U. for nearly two years, and were never suspended for the apparent "oversight" by the executive council of the M.T.D.U.

Strange the officers of the "Mailers' International Union" have not issued any more of their glowing prospectuses of the old-time boom-town variety, of "rosy" promises, of better days for the working mailer under their proposed domination. But a careful analysis of their recent prospectuses would indicate the more of them they broadcast, the sooner their fantastic plan of an "M.I.U." will suffer a dimout. Its boosters furnish no membership figures, nor estimated cost of launching an "M.I.U."

Demand Union Label on Correspondence Courses

"Over a billion dollars of union-earned money has been paid to correspondence schools by members of labor unions," says Secretary-Treasurer Ornburn of the A.F.L. Union Label Trades Department, in a statement wherein he urged members of all labor unions who are taking correspondence or home study courses of instruction to demand the union label on all lessons, textbooks and other literature.

Ornburn said that his attention had been called to the fact that in the past members of unions have paid over \$3,000,000 in tuition fees to one school. He stated further that he did not desire to have his announcement construed as an indorsement of correspondence schools but as an indictment against all responsible schools that discriminate against union men and which do not display the union label.

The statement concluded by emphasizing that every union member who is now taking a course in a correspondence school should immediately write to his respective institution and demand the union label on lessons, textbooks and all literature, and also demand that all services from among the personnel in these institutions be performed by members of trade unions.

"Wherever there is a human being there is an opportunity for kindness."—Seneca.

New Edition of State Labor Code

Changes in the labor laws made at the 1943 session of the Legislature have been incorporated in the 1943 edition of the Labor Code which has just been published, Paul Scharrenberg, Director of the California Department of Industrial Relations, announces.

"We find that many violations of the labor laws are not due to wilfulness but to lack of acquaintance with the statutes," Scharrenberg stated, in urging all employers, labor unions and interested parties to secure copies of the new code, which may be had from the Documents Division, Room 214, State Capital, Sacramento, at the nominal sum of 77 cents.

State Federation Council Meeting

The next quarterly meeting of the executive council of the California State Federation of Labor will be held in San Diego on December 18 and 19. A number of important problems are on the agenda of the council's meeting.

In preparation, and soon to be issued, are the reports of the Federation's officers for the past year, as well as the report on the session of the State Legislature. All of the Federation's affiliates will be supplied with copies of these reports for their information and records.

Minutes of this meeting of the council and of the two special meetings held previously will be published following the December meeting and mailed to all of the unions.

University Degree for Local I.L.G.W.U. Member

Resuming activities in behalf of the International Ladies' Garment Workers' Union here, Mrs. Jennie Matyas has taken up work on the staff of the educational committee of the Local Joint Board of the San Francisco unions in that industry. Of course she needs no introduction to the general labor movement, having been a delegate to the San Francisco Labor Council and having a wide acquaintance.

For the past two years, Mrs. Matyas has been studying for her B. A. degree at the University of California and was recently graduated *cum laude*. In addition to the studies which she has been pursuing, she has continued as a member of the Women's Advisory Committee to the Chairman of the War Manpower Commission, Paul McNutt. Twelve members comprise the committee, which is intended to represent a cross-section of the women of the nation, in the various fields from which they are chosen, and only two of them are union members, Mrs. Matyas being from an A.F.L. unit. Her attendance at its sessions, which are held monthly, necessarily lengthened the time required to complete her university course.

She talks interestingly of her work both in Washington and in the educational field of the local I.L.G.W.U. And of the latter she reminds that not only her own organization but the labor movement in general has a heavy responsibility, not to mention duty, of teaching the underlying and guiding principles of unionism to the vast number of those recruited to the ranks in recent years. Changing the immediate subject, she expresses enthusiasm and evident pride at the manner in which the members of the San Francisco locals of the I.L.G.W.U. have responded to the current appeal for the War Chest and the Red Cross, pointing to the amounts represented by checks received from several shops where the union membership is employed, and chosen at random from the collections now being received at the union headquarters.

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Women Doing Their "Bit" In the Occupied Countries

By MARY MOORE, in I.L.N.S.

Parisian women are using their own weapons—dresses, perfumes and hair styles—in their "hate" against the Germans. French designers use yards of draping and frills. The Germans complain because of the material shortages, but since all the German officers in Paris buy the clothes for their wives nothing can be done about it, and the German women with their heavy figures look terrible in these full, frilly styles.

French hats also are huge and use much material, but the more potent factor is that the large hat brings out all of the vapidness of the German woman's face. And how aware are the French women to these age-old beauty secrets!

Because of no electricity in Germany, German women come to Paris for their permanent waves, only to have their hair whacked and frizzed like the Fiji Islanders by these French women warriors. Parisian sales girls are known to flatter the German women into buying greasy powder bases, and dark rouge and lipsticks which bring out all the hard, harsh lines of the face. It certainly is a winning battle against German morale!

* * *

Women all over the occupied countries have been risking their lives in the service of the "underground press." One underground paper in Prague has more than 100 women on its staff, acting as writers, printers and distributors.

Belgium and France have newspapers written by women for women. Besides providing true news in place of the false propaganda circulated in the German controlled official press, they issue instructions as to the best methods of avoiding deportation, stealing supplies and generally sabotaging German plans. They also run a "Make Do and Mend" column, a badly needed feature in countries where new clothes are practically unobtainable.

In Poland more than 100 women underground press workers have died from German hands. Women in Greece, Yugoslavia, Norway, Holland and Luxembourg play similar parts. They have willingly given up everything for this work, many of them paying the supreme penalty.

PAY CHECKS AWAIT CLAIMANTS

It is announced that more than 5000 paychecks, totaling some \$80,000, and ranging from 3 cents to \$180.07, await former employees of the Boeing aircraft plants in Seattle. Company officials said the checks were for workers who had failed to call for them or leave forwarding addresses, and that they would be issued to claimants upon satisfactory proof of identity.

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The Labor Council meets every Friday at 8 p. m., at the Labor Temple. The Executive and Arbitration Committee meets every Monday, at 8 p. m. The Organizing Committee meets every Friday, at 7:30 p. m. The Union Label Section meets the first Wednesday of every month, at 7:30 p. m.

Synopsis of Meeting Held Friday, November 19, 1943.

Meeting called to order at 8:15 p. m. by President Shelley.

Roll Call of Officers—All present.

Reading of Minutes—Minutes of previous meeting approved as printed in the *LABOR CLARION*.

Credentials—Referred to the organizing committee: Tool and Die Makers No. 1176—B. Homeberg, vice F. Walch. Fish Cannery Workers No. 21106—Helen J. Sievers, vice Agnes S. Tuoto. Molders No. 164—John F. Metcalf, John J. Gibson, Thomas A. Rotell, William P. McCabe. Optical Technicians and Workers No. 18791—Ed Rower and John Jaynes (additional delegate). Theater and Amusement Janitors No. 9—Charles Huber, vice their late Brother Charles Franks.

Report of the Organizing Committee—(Meeting held Friday, November 19.) Called to order at 7:30 p. m. The following were examined, and having been found to possess the proper qualifications your committee recommends that they be seated as delegates to this Council: Arthur Dougherty, Bart Gaffney, Tommy Quirk, James Burke, William G. Walsh, of Bartenders No. 41.

Communications—*Filed*: Minutes of the San Francisco Building and Construction Trades Council dated November 4. Walter J. Lee, president Veteran Hospitals' Christmas Committee, acknowledging receipt of our contribution. The following acknowledged receipt of our letter and resolution regarding increase in the amounts of annuities to retired railroad employees, and promised attention to the matter: U. S. Senator Sheridan Downey, Congressman Thomas Rolph, Mary B. Linkins, secretary of the Railroad Retirement Board (who also acknowledged

our letter and resolution sent to the President of the United States—this was referred to the Railroad Retirement Board). Eugene B. Block, chairman press division, Treasury Department, asking our co-operation in the observance of "Thanksgiving for America" by purchasing extra War Bonds. Weekly News Letters of the California State Federation of Labor, dated November 16 and 20.

San Francisco War Chest Donations: United Garment Workers No. 131, inclosing \$1003.09 collected from their members; (some of their members gave their contribution through the firm where employed); the union itself inclosed \$100 for the drive. Waiters and Dairy Lunchmen No. 30, \$106.50. Dental Laboratory Technicians No. 99, to the present date have contributed \$75 as follows: Alameda War Chest \$25, Oakland War Chest \$25, San Francisco War Chest \$25. Office Employees' Association No. 13188 contributed \$100 from its treasury; (many of their members are service men's wives and mothers of small children with many obligations; however, all members who wish to donate have been urged to do so on a voluntary basis).

Bills were read and ordered paid, after being approved by the trustees.

Referred to the Officers: A communication was received from Adrien J. Falk, chairman, San Francisco Manpower Mobilization, proposing a meeting called "Ladies' Day" at which an interesting speaker would tell of the contribution which women not now employed can make toward keeping San Francisco's "home front" from breaking down.

Referred to the LABOR CLARION: I. M. Ornburn, secretary-treasurer of the Union Label Trades Department, inclosed two posters advertising the Axtom-Fisher Tobacco Company (who have joined in the same plan as that of the Brown & Williamson Tobacco Corporation in the sale of cigarettes to unions for free distribution to the armed forces overseas).

Referred to the Executive Committee: Grocery Clerks No. 648, requesting strike sanction against the Tavern Bakery, 1938 Ocean avenue.

The president announced the intention of the Council to call a meeting of all business agents and representatives for the purpose of discussing the manpower situation, at which time a representative of the War Manpower Commission will be present to



"CHRISTMAS SEAL" SALES PAY FOR THESE—AND MUCH MORE

Since the beginning of the San Francisco Tuberculosis Association's X-ray case-finding program in April, 1940, examinations have been given to more than 20,000 persons: Of the total, more than 400 were referred for further examination. During ten months this year, more than 3500 persons have been examined.

When Christmas Seals were first sold in the United States, in 1907, the tuberculosis death rate was three times as high as it is today.

explain procedure regarding the new manpower order and answer questions on manpower problems. Motion was made that this meeting be held on Friday, November 26, in lieu of the regular Council meeting. Amendment, that the meeting be held Tuesday of the second week, in the afternoon. Amendment to the amendment, that a meeting be held two weeks from this Friday, namely, December 3, with manpower as a special order of business at 9 p. m. and that the officers of the Council be instructed to extend to both Mr. Blaisdell and Mr. Kagel of the W.M.C. an invitation to be present to explain the plan and answer questions, and that all A.F.L. unions be invited. Amendment to the amendment carried.

Reports of Unions—Brother Johns reported for the Labor Council Committee on the War Chest drive, stating that the drive is going into its final stages, with the campaign set to terminate at the end of this month; he urged the organizations to send in as much as possible of their collections immediately in order that labor may receive credit for its share of the participation; he also urged that those unions which have not complied with the request contained in a communication from the Council several weeks ago, asking the unions to notify the Council of the extent and method of their participation, please do so as quickly as possible; it is highly desirable that labor get as much credit as it deserves in this drive; send in funds *now* to the Labor Council office. Brothers Rowan and White reported on the success of the Shipyard Food Supply Committee in its efforts to establish in-plant feeding facilities in the shipyards; thanked the members of the committee and the officers of the Council for their assistance.

New Business—Motion, that the Council again request Congressmen Welch and Rolph to support the President's program on subsidies and that the Council likewise request the Supervisors of San Francisco to take similar action; carried.

Motion, that the Labor Council meeting be adjourned until two weeks from this Friday, the next meeting to be held on **Friday evening, December 3**, on account of the Thanksgiving holiday; carried.

Meeting adjourned at 9:25 p. m.

Receipts, \$2138.34; **disbursements**, \$1631.13.

Respectfully submitted.

JOHN A. O'CONNELL, Secretary.

"We Don't Patronize" List

The concerns listed below are on the "We Don't Patronize" list of the San Francisco Labor Council. Members of labor unions and sympathizers are requested to note this list carefully *from week to week*:

Adam Hat Stores, Inc., 119 Kearny.
Advance Pattern Company, 552 Mission.
American Distributing Company.
Austin Studio, 833 Market.
Avenue Hotel, 419 Golden Gate.
Becker Distributing Company.
Bruener, John, Company.
B & G Sandwich Shops.
California Watch Case Company.
Chan Quong, photo engraver, 680 Clay.
Curtis Publishing Co. (Philadelphia), publishers of *Saturday Evening Post*, *Ladies' Home Journal*, *Country Gentleman*.
Desenfant, A., & Co., manufacturing jewelers, 150 Post.
Doran Hotels (include St. Regis, 85 Fourth St.; Mint, 141 Fifth St.; Hale, 939 Mission St.; Land, 936 Mission St.; Hillsdale, 51 Sixth St.; Grand Central, 1412 Market St., and the Ford Apartments, 957 Mission St.).
Drake Cleaners and Dyers.
Forderer Cornice Works, 269 Potrero.
Gantner & Mattern, 1453 Mission.
Gates Rubber Company, 2700 Sixteenth Street.
General Distillers, Ltd., 136 Front St.
Goldstone Bros., manufacturers of overalls and working men's clothing.
Lucerne Apartments, 766 Sutter.
M. R. C. Roller Bearing Company, 550 Polk.
National Beauty Salon, 207 Powell.
Navalet Seed Company, 423 Market.
O'Keeffe-Merritt Stove Co. Products, Los Angeles.
Pacific Label Company, 1150 Folsom.

Purity Springs Water Company, 2050 Kearny.
Remington-Rand, Inc., 509 Market.
Romaine Photo Studio, 220 Jones.
Royal Typewriter Company, 153 Kearny.
Sealey Mattress Company, 6699 San Pablo Avenue, Oakland.
Sherwin-Williams Paint Company.
Sloane, W. & J.
Smith, L. C., Typewriter Company, 545 Market.
Speed-E Menu Service, 693 Mission.
Standard Oil Company.
Stanford University Hospital, Clay and Webster.
Sutro Baths and Skating Rink.
Swift & Co.
Time and Life (magazines), products of the unfair Donnelley firm (Chicago).
Underwood Typewriter Company, 531 Market.
Val Vita Food Products, Inc., Fullerton, Calif.
Wooldridge Tractor Equipment Company, Sunnyvale, California.
All non-union independent taxicabs.
Barber Shops that do not display the shop card of the Journeymen Barbers' Union are unfair.
Beauty Shops that do not display the shop card of the Hairdressers and Cosmetologists' Department of the Journeymen Barbers' International Union of America are unfair.
Cleaning establishments that do not display the shop card of Retail Cleaners' Union No. 93 are unfair.
Locksmith Shops which do not display the union shop card of Federated Locksmiths No. 1331 are unfair.

Threats to Constitutional Government; Address by a Senator

[The following address was delivered recently by U. S. Senator McCarran of Nevada, at commencement exercises of Georgetown University. It is here reproduced as informative to readers, and giving the views of the speaker on the subject of his address, "Our American Constitutional Commonwealth: Is It Passing?"]

After preliminary remarks expressing appreciation of the honor which had been bestowed upon him, and saying to the members of the class that many would perhaps go immediately into the armed services, and later "return to a nation that looks to you in the post-war period for its sustenance, its continuation and its future guidance," Senator McCarran continued as follows:¹

"I have attempted to formulate some thoughts that might impress upon you the fineness and the splendor of the Government that gave you freedom of life. Then I would bring to your attention a few of the dangers that appear to be imminent, threatening the very existence of that Government. Those of us who take the responsibility of government seriously realize and see those dangers, and, seeing them, would militate against them, so that on your return from military fields you may have and enjoy the freedoms that have abided in this great country for a century and a half."

Administration in Wartime

"Public administration is never so difficult, and good public administration is never so important, as in time of war. In wartime it becomes the appropriate function of Congress to vote vast lump-sum appropriations, and to make the broad delegations of power which the Executive needs. But the fact that we are engaged in a war does not mean that we must revise our form of government. We are making war as an organized nation, and one of the purposes for which we fight is the preservation of our constitutional liberties and our constitutional form of government. We must not let that essential truth escape us."

"The founders of this republic, the framers of our Constitution, were passionately devoted to the principle of government by consent of the governed. Adherence to this principle presupposes an orderly procedure under which laws are enacted by the elected representatives of the people, interpreted impartially by the courts in the light of our great basic law, and administered by public servants in accordance with such interpretation. Nothing could be more violative of the principle of government by consent of the governed than a system under which laws are made by appointive officials, interpreted by the same or other appointive officials, and administered by the same or still other appointive officials."

Stream of "Directives"

"It is no fallacy, and it is no quibble, to say that a large body of our law today is so made, so interpreted, and so administered. Not only by Executive order, but by a constant stream of 'directives' issued by various administrative agencies of the Government, rules and regulations are continually being put in force and given effect which have had no sanction by the Congress. Yet, without such sanction, and often without color of support from any constitutional source, these rules and regulations have all the force of law; more than that they are law; and frequently they actually supersede laws passed by the Congress."

"Statutory provisions enacted by the Congress, in the exercise of powers clearly constitutional, have been expanded or contracted, added to or subtracted from, by the Executive branch of the Government, without hesitation. As an example of expanding a congressional act, we may cite the Anti-Inflation Act. An example of adding to statutory authority is the Executive order setting up the War Manpower Commission, Section 5 of which provides that 'no em-

ployer shall retain in his employ any worker whose services are more urgently needed in any establishment, plant, facility, occupation, or area designated as more essential' by the chairman of the War Manpower Commission. We have been unable to discover anything in the Selective Service Act, or in either of the War Powers Acts, or in any other Act of Congress with which we are familiar, which can be cited as the basis for that decree."

Trend Justified or Unjustifiable?

"This trend toward greater centralization of governmental power, with and through the growing tendency to legislate by directive, is either a sound and logical development within the framework of our American constitutional commonwealth, or it is a departure from that framework, a movement away from the basic principles of true democracy. If the latter, it is either justified by events and results, or it is unjustifiable. It will profit us to examine just what is the case."

"When the framers of our Constitution rested from their labors, they rested firm in the conviction that the document which they had drawn would forever preserve and protect those rights which must remain in the States, and those rights which must remain in the people, in order to preserve that happy balance of government which would insure our national security and perpetuity."

Aim of Constitutional Founders

"The system of checks and balances provided by the Constitution, with three branches of government—the legislative, the executive, and the judicial—was regarded by those constitutional founders, with what seemed to them unassailable logic, as a perfect protection against too great an accumulation of power under any one authority; for they considered it unthinkable that any one branch should ever be able to usurp the powers of another branch."

"But that was in 1787. In July, 1935, a President of the United States wrote to the chairman of a House subcommittee on ways and means urging passage of a certain bill and concluding with the statement: 'I hope your committee will not permit doubts as to its constitutionality, however reasonable, to block the suggested legislation.'

Origin of Laws Traced

"Only a few decades ago the Congress reprimanded most severely a Cabinet member who had the unprecedented temerity to send to the Senate the text of a bill which he wished to see enacted. Today this procedure not only is common practice but is by no means confined to Cabinet members. If you list the major bills which have been enacted into law by the Congress in recent years, you will find that a substantial number of them originated, not in response to popular demand expressed through the duly elected representatives of the people, but in the brain of some one member of the executive branch of the Government, or some small group within that branch, and were drafted, not in the Halls of Congress but in some administrative office, or executive conference room, or in the cubbyhole of some second assistant supervisor of auxiliary functions. Such a bill, however brilliantly written, cannot be an expression of the will of the people, but only a mirror of the ideas

and ideals of its author and of the mood of his executive and administrative superiors."

"In a few of their objectives, in some of their attitudes, and in many of their excesses, no small number of these wearers of the bureaucratic purple are reincarnated Romans in full accord with the traditions primarily responsible for the fall of the Roman Empire."

"When you give any man unlimited power, it is like giving a schoolboy a gun; he wants to go out and shoot it off."

"When a man rises to an important position it is customary to suppose that his advancement has been due, at least in part, to some special merit; but this is not always true even in private business and industry, and certainly it is not always true in government. Still, most people are likely to believe it. Usually, the one who believes it most strongly is the man himself."

Feeling of Superiority

"As a result of this rather common failing, most of the men who write our administrative law, and who interpret it and administer it, have come to regard themselves as rather superior beings. In some cases they are. In many cases they are not. This feeling of superiority is manifested in a great many ways, ranging all the way from the petty dilatory tactics with which sundry petty bureaucrats seek to bolster their own petty egos, to the complete disregard of ordinary civil rights and established democratic processes and procedures which every now and then is evidenced by some new executive promulgation or administrative interpretation."

"The Constitution contains many provisions intended as safeguards against too much centralization of authority in the executive (or administrative) branch of the Government."

Safeguards Against Centralization

"In Article I, Section 2 it is provided that 'all legislative powers herein granted shall be vested in a Congress of the United States.' Is there anything unclear about the meaning of that?"

"Paragraph 2 of Section 6 provides that 'no person holding any office under the United States shall be a member of either House of Congress during his continuance of office.' Why this provision, except to avoid any overlapping of executive or administrative functions, on the one hand, and legislative functions, on the other?"

Vesting of Legislative Power

"Paragraph 18 of Section 7 specifically delegates to Congress the power 'to make all laws which shall be necessary and proper for carrying into execution *** all *** powers vested by this Constitution in the Government of the United States or in any department or office thereof.' This is an expansion and reiteration of the second section, but it is also important

(Continued on Next Page)

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THREATS TO CONSTITUTIONAL GOVERNMENT: ADDRESS BY U. S. SENATOR

(Continued from Page Eleven)

tant because it covers specifically the situation which the average 'directive' purports to meet, that is, a need for additional 'law'—rule or regulation—necessary and proper for implementing some power or powers already granted to some department or office of the Government. We see that the Constitution says Congress shall make such laws. Do we hear the voices of a chorus of administrative lawmakers saying: 'Congress is too slow, so we'll do it; Congress can't be trusted, so we'll do it?' Or is that only their actions speaking for them?

The Oath of Office

"We are minded on occasion to call to the attention of one or another Government administrator the fact that members of the Congress are not alone in taking oath to support the Constitution. Paragraph 3 of Article 6 requires that not only senators and representatives, but the members of all State legislatures, 'and all executive and judicial officers both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution.' Compliance with that paragraph is just about 100 per cent. That is, everybody takes the oath.

Protection Under Bill of Rights

"It is not only in the body of the Constitution that we find provisions bearing on this question.

"The Bill of Rights sets up further safeguards. Sometimes we fear there is a tendency to overlook some of the provisions in these first ten amendments to our Constitution. We wonder, for instance, if all the rules and regulations of the O.P.A., and their enforcement, are in strict conformity with the Fourth Amendment which provides that: 'The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.'

"We wonder, whether the provision of the Fifth Amendment that: 'No person shall be deprived of life, liberty, or property, without due process of law,' ever contemplated, in the intention of its framers, a process of administrative law under which a 'hearing commissioner' of some executive branch of the Government will sit as judge and jury over a citizen charged with violation of some order promulgated by an executive officer of the Government without any specific authority from the Congress or the United States.

Trial by Impartial Jury

"We wonder how such a procedure, under administrative law, comports with the provision of the Sixth Amendment that: 'In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury.'

"The last two items in the Bill of Rights are of tremendous importance. They are sentinels against overcentralization of government, monuments to the wisdom of the constitutional framers who realized that for the stable preservation of our form of government, it is essential that local governmental functions be locally performed.

Undelegated Powers

"The Ninth Amendment to the Constitution provides that 'The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.'

"The Tenth Amendment to the Constitution provides that: 'The powers not delegated to the United States by the Constitution, nor prohibited by it to

the States, are reserved to the States respectively, or to the people.'

"Many signs today seem to indicate that the wisdom of the philosophy which guided the framing of these amendments is being forgotten. We have heard it said that the belief is spreading in this country 'That the people are not capable of governing themselves; that the problems of today are so complex that the citizen at large must of necessity be detached from his own difficulties.' If such a belief ever becomes the prevailing political philosophy of these United States, we cannot predict what type of government we shall then get. Perhaps a benevolent dictatorship, perhaps a dictatorship not so benevolent; perhaps national socialism; perhaps even a monarchy; but certainly not a democracy.

Antithesis of Democracy

"Fully centralized control of all governmental functions, in a bureaucracy founded upon administrative law, is the very antithesis of that democracy in which all our rights are rooted; the democracy from which spring all our hopes, not only for a better future, but even for a maintenance of the unnumbered freedoms which we as a nation have enjoyed since the foundation of our republic.

"We must remember that the more strongly centralized a government becomes, the more important it is that the government be just, and wise, and responsive to the interests of the people. In the words of Mr. Justice Jackson: 'When government pervades all life, holds the economic system in its hands, becomes the greatest employer, the biggest customer, the largest borrower and the largest lender of money, neither incompetence nor low standards of disinterested conduct can be tolerated.'

The Prelude to Oligarchy

"The Governor of a great American State, who afterward became President of the United States, once said: 'To bring about government by oligarchy, masquerading as democracy, it is fundamentally essential that practically all authority and control be centralized in our national Government. The individual sovereignty of our States must first be destroyed. We are safe from the danger of any such departure from the principles by which this country was founded just so long as the individual home rule of the States is scrupulously preserved and fought for whenever it seems in danger.' That statement is as true now as when it was made thirteen years ago.

"Dictatorship is not always a creature of war; sometimes it comes tiptoeing stealthily upon an unsuspecting people in time of peace; and sometimes it is built secretly by the people themselves, unknowing the potentialities of what they create; until like Frankenstein's monster, similarly built, it is unleashed to accomplish the enslavement or destruction of its creator.

Preference of Two Conditions

"It has been said that true statesmanship must know a higher purpose than vote-getting. We cannot argue with that thesis. But we say to you that if every member of both houses of Congress guided his every action by the criterion of whether what he did would win him votes or lose him votes at the next election, the body of law enacted by such a Congress would be vastly preferable to a body of law created by men owing no allegiance to any group of voters, and giving no particular thought or weight to

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DR. R. LEE OTIS
OPTOMETRIST

2374-A MISSION STREET PHONE VALENCIA 6843
IN THE MISSION SINCE 1923

public opinion, either in the country as a whole or within any particular section of it.

"With every upsurge in the power of the administrative lawmaker and his *alter ego*, the bureaucrat, there is a concomitant slackening of initiative, a mushrooming of inertia, in the handling of state and local problems. This is more than a temporary tilting of the scales; it is a derangement of the fundamental balance which has maintained our form of government for over 150 years as the outstanding example of a free democracy. It may be a tipping of the scale down which, if it be not righted, we may eventually plummet toward the abyss of fascism. May God forbid!

Government by Administrative Law

"Government by administrative law breeds opportunity for personal arrogance; evades the courts; sneers at the rule of *stare decisis*; affords no precedents; and fortifies itself by pointing ridicule at Congress and other law-making bodies of our nation.

"Administrative law has its seat of justice in the fiber and temperament of the individual administrator who may, if he chooses, recognize individual human rights and freedoms; or who may ignore or abrogate such rights with relative impunity, protecting himself with the law he has made and the law which is his to make.

The Step Between

"The growth of legislation by administrative directive is the step between democracy, with constitutional guarantees protecting the body of the law in the people, and a government by men with their backs to the wall, hurling defiance at constitutional and substantial changes prompted by progress and founded on the spirit of the law.

"Is this the bridge upon which we as a nation now stand? If so, which way are we facing? The one end rests on the glory of the spirit of the law; the other on the popularity or prudence of the administrator. On one hand is democracy; on the other is autocracy, the bond made of dictatorship.

Quotes Noted Prelate

"I could not close my expressions to you, my young friends, without bringing back to you the words of that great priest, prince, and philosopher, James Cardinal Gibbons, when he said: 'The law is not the people; the people is not the law. The law is the spirit of justice governing the people, and its application to individuals, to associations, to every form of civil life, must be so hedged around with reverence and security that the civil courts may, in an hour of popular passion, protect all the people from the tyranny of what might be a lawless majority.'

"My young friends, may God speed you on your way in life. May your years spent here in this institution, with all the fine training you have had, be your guide through every trial and in every place, wherever you may go."

**Julius S.
Godeau**
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